

Filed: 19 November 2001
SN 09/992,610 Confirmation No. 7580
Hadala Amendment on Appeal
Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

Claim 1 (previously amended):

1. A method for determining the level of a carbonated fluid in a container comprising:

obtaining a container having an outlet for a first carbonated fluid and an inlet for introducing carbon dioxide;

said container having a first carbonated fluid region therein;
a first carbonated fluid being present at an original level in said first carbonated fluid region of said container;

said container, for when in use, having said first carbonated fluid at least partially removed from said container while introducing carbon dioxide to said container thereby forming a second carbonated fluid region;

placing on at least one exterior surface of said container at least one temperature-measuring device;

at least one said temperature-measuring device being located in a region of said container where said second carbonated fluid region is formed by removal of said first carbonated fluid;

initially observing a first temperature in said first carbonated fluid region of said container when said first carbonated fluid is present in said first carbonated fluid region of said container;

subsequently observing a second temperature in said second carbonated fluid region of said container after a portion of said first carbonated fluid has been removed;
and,

correlating the difference between said first temperature and said second temperature to the level of said first carbonated fluid in said container.

1 Claim 2 (original): The method for determining the level of said first fluid in said
2 container according to claim 1 wherein said first fluid is at least partially withdrawn
3 through said outlet between the time of observing said first temperature and said
4 second temperature.

5 Claim 3 (original): The method for determining the level of said first fluid in said
6 container according to claim 1 wherein the second fluid is introduced through said inlet
7 between the time of observing said first temperature and said second temperature.

8 Claim 4 (previously canceled).

9 Claim 5 (previously canceled).

10 Claim 6 (original): The method for determining the level of said first fluid in said
11 container according to claim 1 wherein said temperature-measuring device is adhered
12 to an outer surface of said container as a magnetic strip.

13 Claim 7 (previously canceled).

14 Claim 8 (original). The method for determining the level of said first fluid in a
15 container according to claim 1 wherein at least one temperature-measuring device is a
16 eutectic temperature-measuring device.

17 Claim 9 (previously canceled).

18 Claim 10 (previously amended): The method for determining the level of said first
19 fluid in said container according to claim 1 wherein said container is in a refrigerator.

20 Claim 11 (original): The method for determining the level of said first fluid in said
21 container according to claim 1 wherein said first fluid is a liquid.

22 Claim 12 (previously canceled).

23 Claim 13 (previously amended): The method for determining the level of said first
24 fluid in said container according to claim 1 additionally comprising the step of wiping
25 the temperature-measuring device with a water moistened cloth wherein the
26 temperature of the water moistened cloth is less than 105 ° F.

27 Claim 14 (original): The method for determining the level of said first fluid in said
28 container according to claim 1 wherein the pressure within said container at 70 ° F is
29 about 5 pounds per square inch to about 100 pounds per square inch.

1 Claim 15 (original): A temperature-measuring device mounted on a magnetic strip said
2 temperature measuring device having a width, a height, and a thickness, provided
3 further that the dimensionless ratio of said width to said height is about 0.5 to about 10
4 to about 1 to about 5.

5 Claim 16 (original): The temperature-measuring device according to claim 15 wherein
6 the dimensionless ratio of said width to said height is about 0.7 to about 10 to about 1
7 to about 4.

8 Claim 17 (previously amended): The temperature-measuring device according to
9 claim 15 wherein said device measures temperatures in the range of about 34 ° F to
10 about 94 ° F.

11 Claim 18 (original): The temperature-measuring device according to claim 15 wherein
12 said device measures temperatures in the range of about 34 ° F to about 86 ° F.

13 Claim 19 (original): A temperature-measuring device mounted on an adhesive strip
14 said temperature measuring device having a width, a height, and a thickness, provided
15 further that the dimensionless ratio of said width to said height is from about 0.5 to
16 about 10 to about 1 to about 5.

17 Claim 20 (original): The temperature-measuring device according to claim 19 wherein
18 the dimensionless ratio of said width to said height is about 0.7 to about 10 to about 1
19 to about 4.

20 Claim 21 (original): The temperature-measuring device according to claim 19 wherein
21 said device measures temperatures in the range of about 34 ° F to about 94 ° F.

22 Claim 22 (original): The temperature-measuring device according to claim 19 wherein
23 said device measures temperatures in the range of about 34 ° F to about 86 ° F.

24 Claims 23 through 33 (cancelled).

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REMARKS

The claims made herein reduce the issues on appeal. Entry of this amendment is requested

Respectfully submitted,


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